



# FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

July 26, 2019

*Sent by Electronic Mail – Document Access Verification Requested*

Joseph Sicbaldi  
Manager, Everglades Mitigation Bank  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408  
[Joseph.Sicbaldi@fpl.com](mailto:Joseph.Sicbaldi@fpl.com)

RE: Indiantown Cogeneration Plant  
Modification to Conditions of Certification  
DEP Case Number PA 90-31J  
OGC Case Number 19-0262

## **FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION**

Dear Mr. Sicbaldi:

On February 7, 1992, the Florida Siting Board issued a Site Certification for the construction and operation of Indiantown Cogeneration Plant (Indiantown). The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for Indiantown by Final Order on nine other occasions. Pursuant to Section 403.516(1)(c), Florida Statutes (F.S.), the Department has initiated a modification to Indiantown's Conditions to incorporate a uniform set of general conditions consistent with recent site certifications, and to update antiquated specific conditions that are no longer applicable or consistent with current regulations.

On June 10, 2019, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for Indiantown. On June 12, 2019, notice of the Department's intent to modify the Conditions for Indiantown was also published in the Florida Administrative Register (FAR).

Pursuant to Section 403.516, F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), all parties to the certification proceeding have 45 days from the issuance of notice in which to file a written objection to the modification. Pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., any person who is not already a party to the

certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the public notice in the FAR to object in writing. Failure to act within the time frame constitutes a waiver of the right to become a party.

These timeframes have expired and no objections to the modification have been received by the Department. With the exception of correction of a scrivener's error in the Department of Economic Opportunity's name, the Conditions for Indiantown are modified as described in the Department's Notice of Intent to Modify the Conditions of Certification dated June 10, 2019 which can be downloaded from the following file transfer protocol (ftp) site:

[http://publicfiles.dep.state.fl.us/Siting/Outgoing/Indiantown/Modifications/Mod\\_J\\_DEP\\_Initiated\\_GC/2019\\_6\\_10\\_NOI\\_Indiantown\\_Mod\\_J.pdf](http://publicfiles.dep.state.fl.us/Siting/Outgoing/Indiantown/Modifications/Mod_J_DEP_Initiated_GC/2019_6_10_NOI_Indiantown_Mod_J.pdf).

The final version of the modified Conditions (including attachments) can be viewed and obtained from the following website:

[http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa90\\_31\\_2019\\_J.pdf](http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa90_31_2019_J.pdf).

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399-2400, (850) 717-9000.

Any party to this Order has a right to seek judicial review of it pursuant to Section 120.68, F.S. by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Sincerely,



Cindy Mulkey  
Administrator,  
Siting Coordination Office

CC by electronic mail:

District Director, FDEP: [jason.andreotta@dep.state.fl.us](mailto:jason.andreotta@dep.state.fl.us)

District Liaison, FDEP: [indarjit.jagnarine@dep.state.fl.us](mailto:indarjit.jagnarine@dep.state.fl.us)

FILING AND ACKNOWLEDGMENT  
FILED, on this date, pursuant to §120.52  
Florida Statutes, with the designated  
Department Clerk, receipt of which is  
hereby acknowledged.

**Lynn Searce** Digitally signed by Lynn Searce  
Date: 2019.07.26 13:19:17 -04'00'

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Clerk

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Date

**Service List: *Sent by Electronic Mail – Received Receipt Requested***

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